



## KENT COUNTY BOARD OF PUBLIC WORKS

August 7, 2014  
8:30 AM

Earl G. Woodworth Building  
Meeting Room Chambers  
1500 Scribner Avenue NW  
Grand Rapids, Michigan 49504

**MEMBERS PRESENT:** Commissioners, Vonk, VanderMolen, Morgan Groenleer, Shroll, Byl

**ABSENT:** Commissioner Bulkowski

**OTHERS PRESENT:** Douglas G. Wood, Director; Dar Baas, Solid Waste Division Director; Dan Kendall, Finance Division Director; Elissa Soto, Office Manager; Molly Sherwood, Environmental Compliance Manager; Kristen Wieland, Resource Recovery & Recycling Manager; Becky Dyer, Financial Analyst; Cal Brinks, Purchasing Division; Linda Howell, Kent County Assistant Corporate Counsel; Dan Dewitt, Warner Norcross & Judd

### I. Call to Order

Chair Vonk called the meeting to order at 8:30 a.m.

Chair Vonk proposed a change in the agenda. He requested that item V-A. Solid Waste Ordinance Review be moved to the end of the Agenda. All members of the Board agreed.

### II. Public Comment

None

### III. Review and Approval of Minutes

#### MOTION

It was moved by Commissioner Byl and supported by Commissioner Morgan to approve the minutes from the June 5, 2014 meeting.

Motion carried unanimously.

### IV. Administration

#### A. Donald Gillesse, Transfer Station Operator 30-Year Service Recognition

Director Wood introduced Mr. Gillesse (Gilly) who has been with the Department for 14 years and with the County a total of 30 years.

Chair Vonk thanked Gilly for his years of service and his dedication to the County.

**B. BPW Standing Rules**

Staff requested the review and adoption of Board of Public Works Standing Rules. Chair Vonk requested a review of Board of Public Works Standing Rules. Staff researched Department archives and did not locate any standing rules. Linda Howell, Assistant Corporate Counsel prepared a draft of Standing Rules for consideration and adoption by the Board.

Chair Vonk shared Commissioner Bulkowski's request to table this item because he was unable to attend this meeting and has some questions.

**MOTION**

It was moved by Commissioner Vonk and supported by Commissioner Shroll to table the review and approval of the DPW Board Standing Rules until the next BPW meeting on September 4, 2014.

Motioned carried with the following vote:

YEAS:	Commissioners Vonk, Shroll, VanderMolen, Groenleer
NAYS:	Commissioner Morgan
ABSENT:	Commissioner Byl, Bulkowski

**V. Solid Waste Operations**

**A. Solid Waste Ordinance**

To approve and recommend to the Kent County Board of Commissioners, a Solid Waste Management Ordinance to license waste companies, fund long term legacy costs associated with closed landfills and fund household hazardous waste.

Director Wood gave a PowerPoint presentation of the proposed ordinance. Highlights are below:

- In the early 70's, the County, through its Department of Public Works took over the operation and closure of the existing Kentwood & Sparta landfills and additionally opened and operated the North Kent Landfill during a time when multiple township dumps were being closed.
- The closed landfills have legacy costs and the DPW is required by the MDEQ and through consent agreements with USEPA to manage facility upkeep, monitor groundwater, landfill gas generation, and mitigate historic site contamination.
- Perpetual care funds for these legacy costs are not sufficient to manage the long-term liability.
- The DPW also operates a Household Hazardous Waste Collection (HHW) program for all Kent County residents that benefits both County and out-of-county landfill operations.

- The DPW went through a process with the Solid Waste Plan Committee to look at funding options and use a Solid Waste Management Ordinance to fund legacy costs and HHW. The Solid Waste Plan was amended and approved by the Board of Commissioners and Department of Environmental Quality.
- The surcharge of \$ .25 per month for residential customers and \$ .22 per cubic yard for commercial waste will provide a projected \$1.45 million annually and is expected to provide necessary funding through 2040. The surcharge amount will be reevaluated every two years.

Director Wood also introduced Dan Dewitt of Warner Norcross & Judd who walked board members through the Ordinance included in the BPW Agenda.

Director Wood added that the Ordinance was presented by the hauling community as an alternative to flow control.

Commissioner Morgan asked what sort of action would be taken against residents who refuse to pay the surcharge. Mr. Wood stated that staff would evaluate the number of residents and the dollar amount owed first and determine whether it is economically feasible to pursue further action. Mr. Dewitt stated that the Ordinance states that the Department can collect using whatever methods necessary. The ordinance also lists fines charged for those who do not pay the surcharge which will likely deter residents from defaulting.

Commissioner Shroll asked about item 5.3 and why there was no application fee listed and how the application fees would be utilized. Mr. Wood stated that monies generated from the application fees would go directly toward administration expenses including the necessary software to administer the program.

Commissioner Groenleer asked whether haulers outside the County would need to be licensed. Mr. Wood stated that only haulers collecting Kent County generated waste would need to be licensed.

Commissioner Morgan ask about item 5.5 Refusal to License, Suspension or Revocation of License and asked where there were any steps before a hauler's license would be revoked. Mr. Dewitt stated that there would be a number of steps before a hauler got to that point.

Commissioner VanderMolen recommended that the hauler licensing renewal period be changed from annually to every three years. He also asked whether the Department should compensate the haulers for issuing the surcharge to its customers. Director Wood stated that changing the renewal term could be done. He also stated that the addition of a surcharge to a haulers system is nothing new to them because their current billing systems are designed to support these types of additions.

Commissioner Byl asked whether staff felt there was unanimity with the hauler community given the opposition in the past. Ms. Howell responded that there was a letter received from the Waste Hauler's Association expressing concerns. This letter was and it has been reviewed by legal counsel and the answer to their questions and concerns are worked into the ordinance.

## **MOTION**

It was moved by Commissioner Byl and seconded by Commissioner Morgan to approve and recommend to the Kent County Board of Commissioners, a Solid Waste Management Ordinance to license waste companies, fund long term legacy costs associated with closed landfills and fund household hazardous waste.

Motion carried unanimously.

## **VI. Resource Recovery and Recycling Operations**

### **A. MRF Forklift**

Staff requested approval of the purchase of a new forklift for use at the Recycling Center. Bids for a new forklift were solicited on July 9, 2014 by the Purchasing Department. Three bids were received and evaluated.

The Department has an approved 2014 Capital Improvement Project for the purchase of a new forklift for the Recycling Center. Staff prepared bid specifications and Purchasing issued a Request for Bids. Three bids were received and evaluated and staff recommend approval of a contract with Alta Equipment Company (low bid) in the amount of \$36,400 for a Yale Veracitor Pneumatic Tire Forklift Model GP070VX.

Because of the lifting requirements at the Recycling Center, the bid was for a forklift with a greater lifting capacity (7,000 pounds instead of the 5,000 pounds previously specified.)

## ***Kent County Purchasing Division***

***Bid/RFP/RFQ:*** 1349 Tabulation Sheet

***Description:*** Pneumatic Tire Lift Truck

***Date:*** 7/9/2014

<b><i>Respondent</i></b>	<b><i>Amount*</i></b>	<b><i>Alternate</i></b>
Alta Equipment Company	\$36,400.00	<input type="checkbox"/>
Morrison Industrial Equipment Co.	\$37,737.00	<input type="checkbox"/>
Hull Lift Truck	\$49,887.00	<input type="checkbox"/>

## **MOTION**

It was moved by Commissioner Groenleer and supported by Commissioner Morgan to approve the purchase of a Yale Veracitor Pneumatic Tire Forklift Model GP070VX from Alta Equipment in the amount of \$36,400.

Motion carried unanimously.

### **VII. Accounting & Finance**

#### **A. Financial Reserves/Balance Sheet**

Mr. Kendall reviewed the Department's financial reserves with the Board. The Board received a copy of the internal year-end report of the Department of Public Works for 2013.

In addition to that report are separate Balance Sheets for the Waste-to-Energy and the remaining Solid Waste Operations. They are marked and referenced with Cash and Retained Earnings that are reserved and/or set aside for specific purposes.

This is done to show assets, such as cash, that has been "spoken for". It also indicates assets that will be using up current retained earnings as they are used, e.g., fixed assets and cell inventories.

On the Waste-to-Energy Balance Sheet, in the Assets section, there are Restricted Assets, made up of cash, that are Restricted in the Retained Earnings section for a like amount. They amount to reserves of cash to meet upcoming needs: Operating Reserve, Capital Improvement Reserve, Insurance Deductible Reserve and Bad Debt Reserve. In addition, the Retained Earnings that are not reserved are offset by Net Fixed Assets. This means they are not spendable Retained Earnings.

The remaining Solid Waste Funds has similar reserves plus GASB 18 Reserve, Kentwood Landfill, and various perpetual care reserves. These fund liabilities or are Restricted Retained Earnings.

### **VIII. Approval of Monetary Outlays**

## **MOTION**

It was moved by Commissioner Byl and supported by Commissioner VanderMolen to approve the monetary outlays from July and August 2014.

Motion carried unanimously.

### **IX. Director's Report**

#### **A. Finance and Accounting Director Retirement**

Director Wood notified the Board that Dan Kendall, Finance Division Director would be retiring on September 30, 2014.

B. Dorr Township, Allegan County Property-Tree Farm

Director Wood reported that a number of the trees on this property have been donated to the Parks Department and also to the City of Kentwood in light of the recent storm in the area.

C. Solid Waste Division Director

Director Wood introduced Dar Baas who replaced Dennis Kmiecik.

**X. Miscellaneous**

None

**XI. Adjournment**

The meeting was adjourned at 9:45 a.m.

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William Byl, Board Secretary